

**REMARKS**

The undersigned thanks the Examiner for the courtesies extended to applicants' representatives in a personal interview held on February 2, 2005.

The substance of that interview is reflected in Dr. Bissery's declaration submitted herewith, along with the attached Exhibits A and B.<sup>1</sup> It is clear from Dr. Bissery's testimony that the instant claims are patentably distinct from the claims in Dr. Bissery's U.S. Patent No. 6,441,026 B1. Accordingly it is respectfully requested that the double patenting rejection be withdrawn and the instant application be passed to issue.

Please grant any extensions of time required to enter this paper and charge any additional required fees to our deposit account 06-0916.

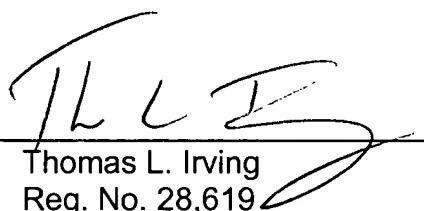
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 2, 2005

By:

Thomas L. Irving  
Reg. No. 28,619



**Attachments:** Exhibit 1 - Declaration Under 37 C.F.R. § 1.132

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<sup>1</sup> The January 18, 2005 response mistakenly reported three possible outcomes. That good faith mistake is corrected in Dr. Bissery's declaration, there are four possible outcomes.